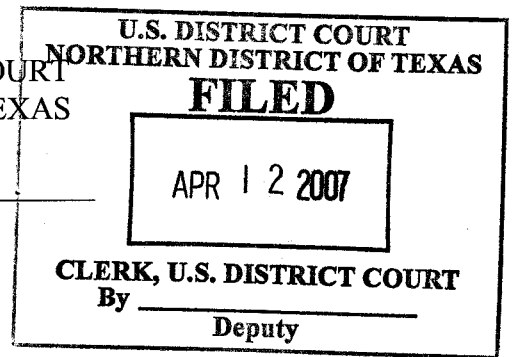


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION



JAMES URLAH DUNAWAY, JR., PRO SE,  
TDCJ-CID #742465,

Plaintiff,

V.

MICHAEL F. CLAYTON,  
GINGER F. BARKLEY, MERLE HOUSKA,  
and MARIANNE B. MUNSELLE,

## Defendants.

§ § § § §

2:04-CV-0195

## ORDER OVERRULING OBJECTIONS TO DENIAL OF EXTENSION AND PARTIAL ORDER OF DISMISSAL

Plaintiff JAMES URLAH DUNAWAY, JR., acting pro se, has filed suit pursuant to Title 42, United States Code, section 1983 complaining against the above-named defendants and has been granted permission to proceed in forma pauperis.

On March 7, 2007, a Report and Recommendation was filed by the United States Magistrate Judge analyzing plaintiff's claims against defendants BARKLEY, MUNSELLE, and HOUSKA and recommending plaintiff's civil rights claims against BARKLEY, MUNSELLE, and HOUSKA be dismissed with prejudice as frivolous and for failure to state a claim on which relief can be granted.

Plaintiff filed his Objections to the March 7, 2007 Partial Report and Recommendation on April 6, 2007. The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation, as well as the objections filed by the plaintiff.

The Court is of the opinion that the objections of the plaintiff should be OVERRULED and that the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does OVERRULE plaintiff's objections, and does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge.

The Civil Rights Claims against defendants BARKLEY, MUNSELLE, and HOUSKA are DISMISSED WITH PREJUDICE AS FRIVOLOUS AND FOR FAILURE TO STATE A CLAIM ON WHICH RELIEF CAN BE GRANTED.

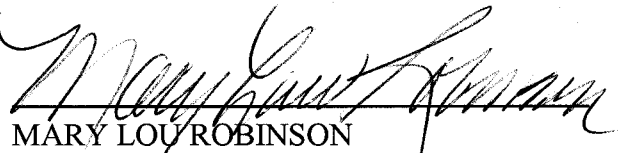
LET JUDGMENT BE ENTERED ACCORDINGLY.

Plaintiff's March 20, 2007 motion for extension to file his objections was denied by the Magistrate Judge and, on April 4, 2007, plaintiff filed his objection to that denial. He has since filed his objections to the Report and Recommendation. Plaintiff's objection to the denial of extension is, therefore, of no practical significance and is OVERRULED AND DENIED AS MOOT.

The Clerk will mail a copy of this Order to the plaintiff and to any attorney of record by first class mail.

IT IS SO ORDERED.

ENTERED this 12<sup>th</sup> day of April, 2007.

  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE